

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSHUA OSMUN KENNEDY,)	
)	CASE NO. C10-1216-RAJ
Petitioner,)	(CR-08-354-RAJ)
)	
v.)	
)	ORDER OF DISMISSAL
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

The Court, after careful consideration of petitioner's 28 U.S.C. § 2255 motion for writ of habeas corpus, the government's response, both parties' additional briefing, the Report and Recommendation of the Honorable Mary Alice Theiler, the Petitioner's objections thereto, the governing authorities and the balance of the record, does hereby find and ORDER:

- (1) The Report and Recommendation is ADOPTED;
- (2) Petitioner's § 2255 motion is DENIED and this petition is DISMISSED without prejudice to refileing it after the direct appeal is decided;
- (3) Petitioner is DENIED issuance of a certificate of appealability; and

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01 (4) The Clerk is directed to send copies of this Order to the parties and to Judge
02 Theiler.

03 DATED this 30th day of March, 2011.
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08 The Honorable Richard A. Jones
09 United States District Judge
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